

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
MCALLEN DIVISION**

UNITED STATES OF AMERICA,

*Plaintiff,*

v.

0.665 ACRES OF LAND, MORE OR LESS,  
SITUATE IN STARR COUNTY, STATE OF  
TEXAS; AND ALMA NORA IBARRA, ET AL.,

*Defendants.*

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CASE NO. 7:20-CV-427

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**COMPLAINT IN CONDEMNATION**

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1. This is a civil action brought by the United States of America at the request of the Secretary of the Department of Homeland Security, through the Acquisition Program Manager, Wall Program Management Office, U.S. Border Patrol Program Management Office Directorate, U.S. Border Patrol, U.S. Customs and Border Protection, Department of Homeland Security, for the taking of property under the power of eminent domain through a Declaration of Taking, and for the determination and award of just compensation to the owners and parties in interest.

2. The Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. § 1358.

3. The interest in property taken herein is under and in accordance with the authority set forth in Schedule “A.”

4. The public purpose for which said interest in property is taken is set forth in Schedule “B.”

5. The legal description and map or plat of land in which certain interests are being

acquired by the filing of this Complaint, pursuant to the Declaration of Taking, are set forth in Schedules “C” and “D.”

6. The interest being acquired in the property described in Schedules “C” and “D” is set forth in Schedule “E.”

7. The amount of just compensation estimated for the property interest being acquired is set forth in Schedule “F.”

8. The names and addresses of known parties having or claiming an interest in said acquired property are set forth in Schedule “G.”

9. Local and state taxing authorities may have or claim an interest in the property by reason of taxes and assessments due and eligible.

WHEREFORE, Plaintiff requests judgment that the interest described in Schedule “E” of the property described in Schedules “C” and “D” be condemned, and that just compensation for the taking of said interest be ascertained and awarded, and for such other relief as may be lawful and proper.

Respectfully submitted,

**RYAN K. PATRICK**  
United States Attorney  
Southern District of Texas

By: *s/ Manuel Muniz Lorenzi*  
**MANUEL MUNIZ LORENZI**  
Assistant United States Attorney  
Southern District of Texas No. 338159  
Puerto Rico Bar No. 21246  
1701 W. Bus. Highway 83, Suite 600  
McAllen, TX 78501  
Telephone: (956) 618-8010  
Facsimile: (956) 992-9425  
E-mail: [Manuel.Muniz.Lorenzi@usdoj.gov](mailto:Manuel.Muniz.Lorenzi@usdoj.gov)

# SCHEDULE A

**SCHEDULE A**

**AUTHORITY FOR THE TAKING**

The property is taken under and in accordance with 40 U.S.C. §§ 3113 and 3114, which authorize the condemnation of land and the filing of a Declaration of Taking; the Act of Congress approved September 30, 1996, as Public Law 104-208, Division C, Section 102, 110 Stat. 3009-546, 3009-554-55, as amended and codified at 8 U.S.C. § 1103(b) & note; and the Act of Congress approved February 15, 2019, as Public Law 116-6, div. A, tit. II, Section 230, 133 Stat. 13, which appropriated the funds that shall be used for the taking.

# SCHEDULE B

**SCHEDULE B**

**PUBLIC PURPOSE**

The public purpose for which said property is taken is to construct, install, operate, and maintain roads, fencing, vehicle barriers, security lighting, cameras, sensors, and related structures designed to help secure the United States/Mexico border within the State of Texas.

# SCHEDULE C

**SCHEDULE C**

**LEGAL DESCRIPTION**

Starr County, Texas

Tract: RGV-RGC-2044

Owner: Alma Nora Ibarra, et al.

Acres: 0.665

**Being** a 0.665 of one acre (28,966 square feet) parcel of land, more or less, being out of the Francisco Guerra Survey, Abstract No. 330, Porción 66, Starr County, Texas and being out of a called 10.28 acre tract conveyed to Alma Nora Ibarra, Aaron Sandoval Jr., Abel Adalberto Sandoval, Juan Louis Sandoval, Jaime Joel Sandoval, Rodolfo Sandoval and Ricardo Sandoval by Partition Deed recorded in Instrument No. 2019-348295, Official Records of Starr County, Texas (Parcel "O"-2), said parcel of land being more particularly described by metes and bounds as follows;

**Commencing** at a set 5/8" rebar with an MDS LAND SURVEYING aluminum disk capped survey marker stamped with the following description: "POC RGV-RGC-2043 2044 2045", said point being in the north line of a called 10.28 acre tract conveyed to Olga O. Molina Escobar, Orfelinda Molina Menchaca, Rene Molina Jr. and Rolando Molina by Partition Deed Recorded in Instrument No. 2019-348294, Official Records of Starr County, Texas (Parcel "O"-1), the south line of the remainder of a called 158.68 acre tract conveyed to Jissell Imelda Vela De Williams and Jessica Magdalena Vela De Garcia by Deed of Gift recorded in Volume 793, Page 596, Deed Records of Starr County, Texas ("First Tract") and the south line of a called 74.80 acre tract conveyed to Magdalena Molina Vde. De Garcia by Surface Rights Partition Deed recorded in Volume 137, Page 124, Deed Records of Starr County, Texas ("Tract N"), said point having the coordinates of N=16682131.269, E=786409.827;

**Thence:** S 80-44-56 E (S 80-45-00 E, Record), with the north line of Parcel "O"-1, the south line of the 74.80 acre tract and the south line of the remainder of the 158.68 acre tract, for a distance of 100.00' to a set 5/8" rebar with an MDS LAND SURVEYING aluminum disk capped survey marker stamped with the following description: "RGV-RGC-2003-3=2043-1" for the northwest corner of Tract RGV-RGC-2043 and the southwest corner of Tract RGV-RGC-2003, said point being north line of Parcel "O"-1, the south line of the 74.80 acre tract and the south line of the remainder of the 158.68 acre tract;

**Thence:** S 14-35-48 W, departing the south line of the 74.80 acre tract and the south line of the remainder of the 158.68 acre tract, over and across Parcel "O"-1, for a distance of 139.98' to a set 5/8" rebar with an MDS LAND SURVEYING aluminum disk capped survey marker stamped with the following description: "RGV-RGC-2043-4=2044-1" for the **Place of Beginning** and



**SCHEDULE C (Cont.)**

northwest corner of Tract RGV-RGC-2044, said point being in the south line of Parcel "O"-1 and the north line of Parcel "O"-2, said point having the coordinates of N=16681979.736, E=786473.251;

**Thence:** S 80-45-00 E (S 80-45-00 E, Record), with the south line of Parcel "O"-1 and the north line of Parcel "O"-2, for a distance of 200.87' to a set 5/8" rebar with an MDS LAND SURVEYING aluminum disk capped survey marker stamped with the following description: "RGV-RGC-2043- 3=2044-2" for the northeast corner of Tract RGV-RGC-2044, said point being in the south line of Parcel "O"-1 and the north line of Parcel "O"-2, said point bears N 55-54-34 W, a distance of 2451.58' from United States Army Corps of Engineers Control Point No. 138;

**Thence:** S 14-35-48 W, departing the south line of Parcel "O"-1, over and across Parcel "O"-2, for a distance of 144.83' to a set 5/8" rebar with an MDS LAND SURVEYING aluminum disk capped survey marker stamped with the following description: "RGV-RGC-2044-3=2045-2" for the southeast corner of Tract RGV-RGC-2044, said point being in the south line of Parcel "O"-2 and the north line of a called 10.28 acre tract conveyed to Maria Magdalena Escobar, Tomas Molina, Juan Abel Molina, David Molina, Martha Irene Young and Martin Molina by Partition Deed recorded in Instrument No. 2019-348296, Official Records, Starr County, Texas (Parcel "O"-3);

**Thence:** N 80-45-00 W (N 80-45-00 W, Record), with the south line of Parcel "O"-2 and the north line of Parcel "O"-3, for a distance of 200.87' to a set 5/8" rebar with an MDS LAND SURVEYING aluminum disk capped survey marker stamped with the following description: "RGV-RGC-2044- 4=2045-1" for the southwest corner of Tract RGV-RGC-2044, said point being in the south line of Parcel "O"-2 and the north line of Parcel "O"-3;

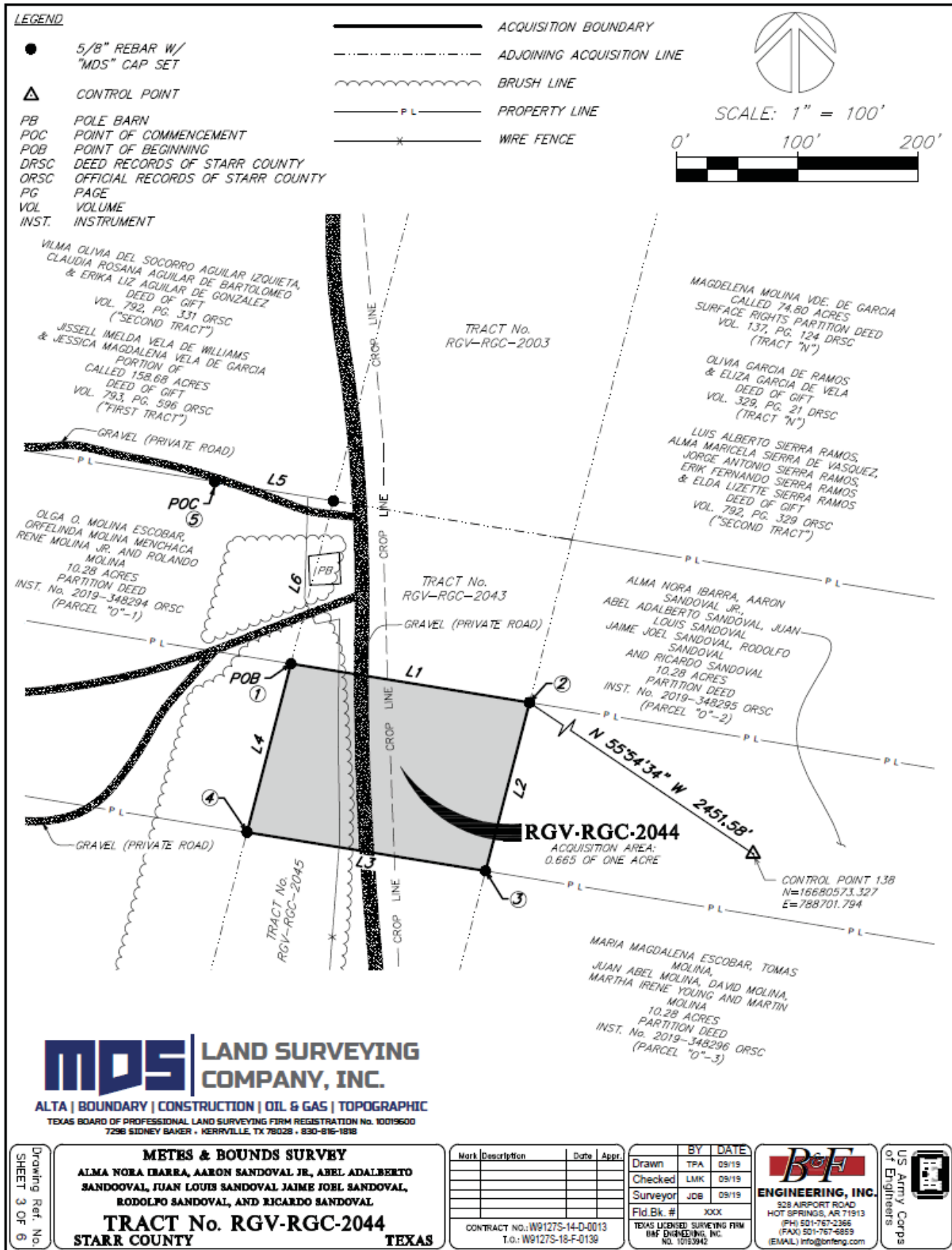
**Thence:** N 14-35-48 E, departing the north line of Parcel "O"-3, over and across Parcel "O"-2, for a distance of 144.83' to the **Place of Beginning**.

**Note:** All bearings, distances and coordinates are referenced to the Texas State Plane Coordinate System, South Zone grid (SPCS 4205) NAD'83. Values may be converted to ground values using a combined scale factor of 1.000040000.

# SCHEDULE D

**SCHEDULE D**

MAP or PLAT

**LAND TO BE CONDEMNED**

**SCHEDULE D (Cont.)**

LINE	BEARING	DISTANCE	REC-BEARING	REC-DISTANCE
L1	S 80°45'00" E	200.87'	S 80°45'00" E	N/A
L2	S 14°35'48" W	144.83'	N/A	N/A
L3	N 80°45'00" W	200.87'	N 80°45'00" W	N/A
L4	N 14°35'48" E	144.83'	N/A	N/A
L5	S 80°44'56" E	100.00'	S 80°45'00" E	N/A
L6	S 14°35'48" W	139.98'	N/A	N/A

COORDINATE TABLE

MONUMENT NO.	NORTHING	EASTING	MONUMENT DESCRIPTION
1	16681979.736	786473.251	RGV-RGC-2043-4=2044-1
2	16681947.447	786671.513	RGV-RGC-2043-3=2044-2
3	16681807.292	786635.014	RGV-RGC-2044-3=2045-2
4	16681839.581	786436.752	RGV-RGC-2044-4=2045-1
5	16682131.269	786409.827	POC RGV-RGC-2043 2044 2045

**NOTES:**

1. THE BEARINGS, DISTANCES, AND COORDINATE VALUES SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, REFERENCED TO NAD83(2011), TX SOUTH ZONE (4205), US SURVEY FEET, USING THE CORS(2011) ADJUSTMENT. THE DISTANCES AND COORDINATES SHOWN HEREON ARE GRID VALUES AND MAY BE CONVERTED TO GROUND (SURFACE) USING THE TXDOT COUNTY PUBLISHED COMBINED SCALE FACTOR OF 1.000040000 (E.G. GRID X 1.000040000 = SURFACE).
2. A SEPARATE METES AND BOUNDS DESCRIPTION OF EQUAL DATE WAS WRITTEN IN CONJUNCTION WITH THIS SURVEY PLAT.
3. THE SQUARE FOOTAGE TOTAL RECITED HEREIN IS BASED ON MATHEMATICAL CALCULATIONS AND SUBJECT TO THE RULES OF ROUNDING AND SIGNIFICANT NUMBERS.
4. THE REMAINING ACREAGE OF THE PARENT TRACT WAS CALCULATED FROM THE RECORDED INSTRUMENTS AND IS NOT BASED ON FIELD DIMENSIONS.
5. FIELD SURVEY COMPLETED 2/10/2019.
6. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.
7. MDS LAND SURVEYING COMPANY, INC. HAS PROVIDED THESE SURVEY SERVICES TO THE CORPS OF ENGINEERS AS A SUBCONSULTANT TO B&F ENGINEERING, INC., THE PRIME CONSULTANT. THE CORPS' CONTRACTING OFFICER'S REPRESENTATIVE IS STEPHEN CORLEY, RPLS (817) 886-1143.



ALTA | BOUNDARY | CONSTRUCTION | OIL & GAS | TOPOGRAPHIC  
 TEXAS BOARD OF PROFESSIONAL LAND SURVEYING FIRM REGISTRATION No. 10019600  
 7298 SIDNEY BAKER • KERRVILLE, TX 78028 • 830-816-1818

Drawing Ref. No.  
 SHEET 4 OF 6

**METES & BOUNDS SURVEY**  
 ALMA NORA IBARRA, AARON SANDOVAL JR., ABEL ADALBERTO  
 SANDOVAL, JUAN LOUIS SANDOVAL JAIME JOEL SANDOVAL,  
 RODOLFO SANDOVAL, AND RICARDO SANDOVAL  
**TRACT No. RGV-RGC-2044**  
**STARR COUNTY TEXAS**

Mark	Description	Date	Appr.

CONTRACT NO.: W9127S-14-D-0013  
 T.O.: W9127S-18-F-0139

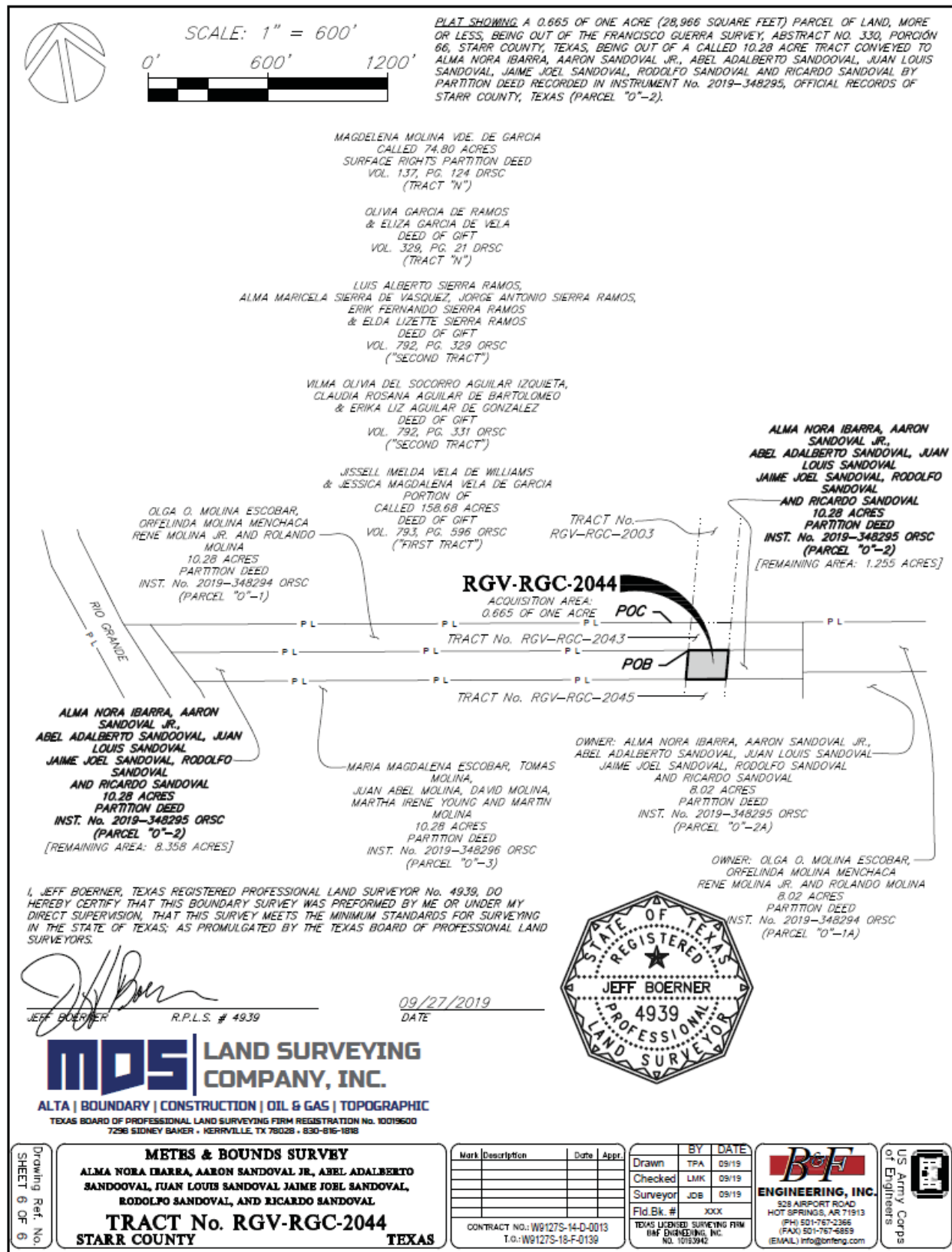
BY	DATE
Drawn	TPA 09/19
Checked	LMK 09/19
Surveyor	JOB 09/19
Fid Bk. #	XXXX
TEXAS LICENSED SURVEYING FIRM B&F ENGINEERING, INC. NO. 10183942	

**B&F ENGINEERING, INC.**  
 928 AIRPORT ROAD  
 HOT SPRINGS, AR 71913  
 (PH) 501-767-2366  
 (FAX) 501-767-6859  
 (EMAIL) info@bnteng.com

U.S. Army Corps  
 of Engineers





**SCHEDULE D (Cont.)**

Tract: RGV-RGC-2044

Owner: Alma Nora Ibarra, et al.

Acreage: 0.665

# SCHEDULE E

**SCHEDULE E**

**ESTATE TAKEN**

Starr County, Texas

Tract: RGV-RGC-2044

Owner: Alma Nora Ibarra, et al.

Acres: 0.665

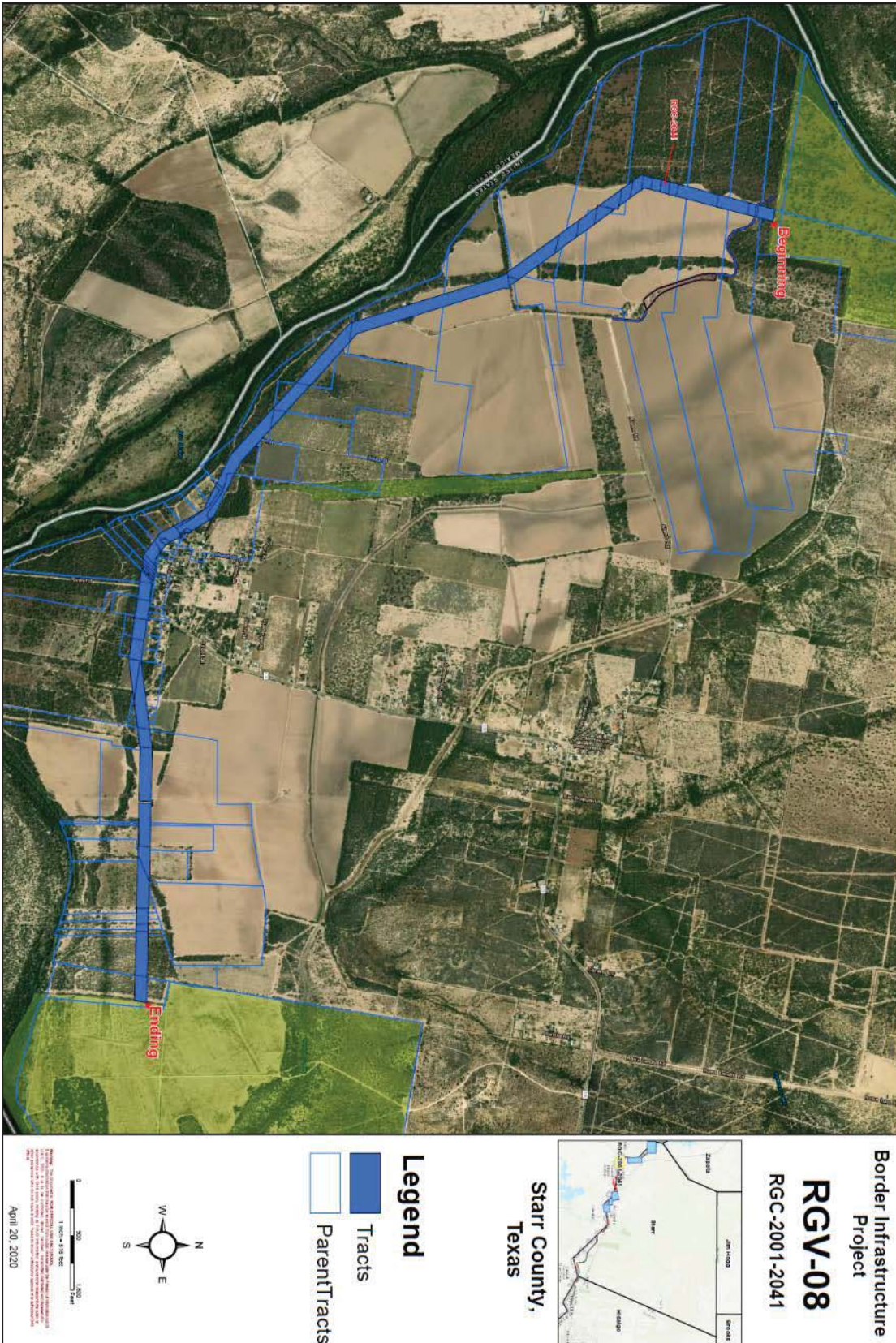
The estate taken is fee simple, subject to existing easements for public roads and highways, public utilities, railroads, and pipelines; and subject to all interests in minerals and appurtenant rights for exploration, development, production and removal of said minerals;

Reserving to the owners of the lands identified in conveyance recorded with Official Records of Starr County, Texas, on March 5, 2019, document number 2019-348295, reasonable access to and from the owners' lands lying between the Rio Grande River and the border barrier through opening(s) or gate(s) in the border barrier between the westernmost mark labeled "Beginning" and easternmost mark labeled "Ending" depicted on the map below;

Excepting and excluding all interests in water rights and water distribution and drainage systems, if any, provided that any surface rights arising from such water rights or systems are subordinated to the United States' construction, operation and maintenance of the border barrier.



**SCHEDULE E (Cont.)**



# SCHEDULE F

**SCHEDULE F**

**ESTIMATE OF JUST COMPENSATION**

The sum estimated as just compensation for the land being taken is FIVE THOUSAND DOLLARS AND NO/100 (\$5,000.00), to be deposited herewith in the Registry of the Court for the use and benefit of the persons entitled thereto.

# SCHEDULE G

**SCHEDULE G****INTERESTED PARTIES**

The following table identifies all persons who have or claim an interest in the property condemned and whose names are now known, indicating the nature of each person's property interest(s) as indicated by references in the public records and any other information available to the United States. *See* Fed. R. Civ. P. 71.1(c).

Interested Party	Reference
<b>Olga O. Molina Escobar</b>  Roma, TX	<b>RGV-RGC-2044</b> Partition Deed, Document No. 2019-348294. Recorded March 5, 2019, Official Records of Starr County, Texas
<b>Rolando Molina</b>  Kyle, TX	<b>RGV-RGC-2044</b> Partition Deed, Document No. 2019-348294. Recorded March 5, 2019, Official Records of Starr County, Texas
<b>Orfelinda Molina Menchaca</b>  Roma, TX	<b>RGV-RGC-2044</b> Partition Deed, Document No. 2019-348294. Recorded March 5, 2019, Official Records of Starr County, Texas
<b>Rene Molina, Jr.</b>  Houston, TX	<b>RGV-RGC-2044</b> Partition Deed, Document No. 2019-348294. Recorded March 5, 2019, Official Records of Starr County, Texas
<b>Alma Nora Ibarra</b>  Houston, TX	<b>RGV-RGC-2044</b> Partition Deed, Document No. 2019-348294. Recorded March 5, 2019, Official Records of Starr County, Texas
<b>Aaron Sandoval, Jr.</b>  McAllen, TX	<b>RGV-RGC-2044</b> Partition Deed, Document No. 2019-348294. Recorded March 5, 2019, Official Records of Starr County, Texas
<b>The Unknown Heirs of Abel Adalberto Sandoval, deceased</b> c/o Ricardo Sandoval  Houston, Texas	<b>RGV-RGC-2044</b> Partition Deed, Document 2019-348298; Recorded March 5, 2019, Deed Records of Starr County, Texas

<b>Ricardo Sandoval</b> Houston, TX	<b>RGV-RGC-2044</b> Partition Deed, Document No. 2019-348294. Recorded March 5, 2019, Official Records of Starr County, Texas
<b>Juan Luis Sandoval</b> Mission, TX	<b>RGV-RGC-2044</b> Partition Deed, Document No. 2019-348294. Recorded March 5, 2019, Official Records of Starr County, Texas
<b>Jaime Joel Sandoval</b> McAllen, TX	<b>RGV-RGC-2044</b> Partition Deed, Document No. 2019-348294. Recorded March 5, 2019, Official Records of Starr County, Texas
<b>Rodolfo Sandoval</b> Cedar Park, TX	<b>RGV-RGC-2044</b> Partition Deed, Document No. 2019-348294. Recorded March 5, 2019, Official Records of Starr County, Texas
<b>Maria Magdalena Escobar</b> Roma, Texas	<b>RGV-RGC-2044</b> Partition Deed, Document No. 2019-348294. Recorded March 5, 2019, Official Records of Starr County, Texas
<b>Tomas Molina</b> c/o Maria Escobar Roma, Texas	<b>RGV-RGC-2044</b> Partition Deed, Document No. 2019-348294. Recorded March 5, 2019, Official Records of Starr County, Texas
<b>Juan Abel Molina</b> c/o Maria Escobar Roma, Texas	<b>RGV-RGC-2044</b> Partition Deed, Document No. 2019-348294. Recorded March 5, 2019, Official Records of Starr County, Texas
<b>David Molina</b> c/o Maria Escobar Roma, Texas	<b>RGV-RGC-2044</b> Partition Deed, Document No. 2019-348294. Recorded March 5, 2019, Official Records of Starr County, Texas
<b>Martha Irene Young</b> c/o Maria Escobar Roma, Texas	<b>RGV-RGC-2044</b> Partition Deed, Document No. 2019-348294. Recorded March 5, 2019, Official Records of Starr County, Texas
<b>Martin H. Molina</b>	<b>RGV-RGC-2044</b>



Address Unknown	Gift Deed, Document No. 2005-246526. Recorded May 13, 2005, Official Records of Starr County, Texas
<b>Martin Molina</b> Address Unknown	<b>RGV-RGC-2044</b> Partition Deed, Document No. 2019- 348294. Recorded March 5, 2019, Official Records of Starr County, Texas
<b>Yolanda M. Belmontes</b>  Kingsville, Texas	<b>RGV-RGC-2044</b> Partition Deed, Document No. 2019- 348294. Recorded March 5, 2019, Official Records of Starr County, Texas
<b>Rodolfo R. Molina, Jr. a/k/a</b> <b>Rudy Molina</b>  McAllen, Texas	<b>RGV-RGC-2044</b> Partition Deed, Document 2019-348298; Recorded March 5, 2019, Deed Records of Starr County, Texas
<b>Eliza Nelly Molina</b>  Weslaco, Texas	<b>RGV-RGC-2044</b> Partition Deed, Document 2019-348298; Recorded March 5, 2019, Deed Records of Starr County, Texas
<b>Jose Trinidad Molina</b>  Mission, Texas	<b>RGV-RGC-2044</b> Partition Deed, Document 2019-348298; Recorded March 5, 2019, Deed Records of Starr County, Texas
<b>Marilu Molina</b>  Austin, TX	<b>RGV-RGC-2044</b> Partition Deed, Document 2019-348298; Recorded March 5, 2019, Deed Records of Starr County, Texas
<b>Dina Scott</b>  Austin, TX	<b>RGV-RGC-2044</b> Partition Deed, Document 2019-348298; Recorded March 5, 2019, Deed Records of Starr County, Texas
<b>Iliana Molina aka Illiana M. Flores</b>  La Grange, TX	<b>RGV-RGC-2044</b> Partition Deed, Document 2019-348298; Recorded March 5, 2019, Deed Records of Starr County, Texas
<b>Myrna Elena Rodriguez</b>	<b>RGV-RGC-2044</b> Partition Deed, Document 2019-348298;

Austin, TX	Recorded March 5, 2019, Deed Records of Starr County, Texas
<b>Guadalupe Soliz, Jr.</b> Humble, TX	<b>RGV-RGC-2044</b> Gift Deed, Document 1997-191809; Recorded June 17, 1997, Deed Records of Starr County, Texas
<b>Olga Molina</b> Austin, Texas	<b>RGV-RGC-2044</b> Surviving Spouse of Eben E. Molina Surface Rights Partition Deed, Document No. 1945-22533, recorded January 25, 1945, Deed Records of Starr County, Texas
<b>Maria Molina</b> <b>c/o Rodolfo R. Molina, Jr.</b> McAllen, Texas	<b>RGV-RGC-2044</b> Surviving Spouse of Rodolfo R. Molina Surface Rights Partition Deed, Document No. 1945-22533, recorded January 25, 1945, Deed Records of Starr County, Texas
<b>Vern Vanderpool</b> Austin, TX	<b>RGV-RGC-2044</b> Tenant Farmer
<b>Ameida Salinas</b> Starr County Tax Assessor-Collector 100 N FM 3167, Room 201 Rio Grande City, Texas 78582	<b>Tax Authority</b>



## CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

**I. (a) PLAINTIFFS**

United States of America

(b) County of Residence of First Listed Plaintiff \_\_\_\_\_  
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)  
Manuel Muniz Lorenzi, United States Attorney's Office, SDTX, 1701  
West Bus. Hwy. 83, Ste. 600, McAllen, TX 78501

**DEFENDANTS**

0.665 ACRES OF LAND, MORE OR LESS, SITUATE IN STARR COUNTY, STATE OF TEXAS; AND ALMA NORA IBARRA, ET AL.,

County of Residence of First Listed Defendant STARR  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

**II. BASIS OF JURISDICTION** (Place an "X" in One Box Only)

- ☒ 1 U.S. Government Plaintiff
- ☐ 2 U.S. Government Defendant
- ☐ 3 Federal Question (U.S. Government Not a Party)
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

**III. CITIZENSHIP OF PRINCIPAL PARTIES** (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- |                                         | PTF                        | DEF                        |                                                               | PTF                        | DEF                        |
|-----------------------------------------|----------------------------|----------------------------|---------------------------------------------------------------|----------------------------|----------------------------|
| Citizen of This State                   | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation                                                | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

**IV. NATURE OF SUIT** (Place an "X" in One Box Only)Click here for: [Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other <b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
<b>REAL PROPERTY</b> <input checked="" type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	<b>PRISONER PETITIONS</b> <b>Habeas Corpus:</b> <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <b>Other:</b> <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

**V. ORIGIN** (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District (specify)
- ☐ 6 Multidistrict Litigation - Transfer
- ☐ 8 Multidistrict Litigation - Direct File

**VI. CAUSE OF ACTION**

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

40 U.S.C. 3113 and 3114

Brief description of cause:

Land condemnation proceeding for fee simple interest to construct, install, operate, and maintain border security

**VII. REQUESTED IN COMPLAINT:**

☐ CHECK IF THIS IS A CLASS ACTION DEMAND \$

UNDER RULE 23, F.R.Cv.P.

CHECK YES only if demanded in complaint:

JURY DEMAND: ☐ Yes ☒ No**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE Randy CraneDOCKET NUMBER 7:20-CV-267

DATE

12/21/2020

SIGNATURE OF ATTORNEY OF RECORD

s/ Manuel Muniz Lorenzi

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE